



BEST AVAILABLE COPY

PATENT
ATTORNEY DOCKET
NO. 70482

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Coppens et al.

Serial No.: 08/898,736

Filed: July 23, 1997

Title: PROCESS FOR THE
PREPARATION OF MALTED
CEREALS

Group Art Unit: 1761

Examiner: C. Sherrer

CERTIFICATE OF MAILING

I hereby certify that this
paper is deposited with the U.S.
Postal Service as first-class mail
in an envelope addressed to:
Commissioner of Patents &
Trademarks, Washington, D.C.
20231, on this date.

10/3/01 Timothy E. Levatich
Date Registration No. 39,192
Attorney for Applicants

DECLARATION RE ARTICLES AND ABSTRACTS SHOWING
GERMINATION AND/OR ACTIVATION

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

Attached to this Declaration are articles and abstracts that discuss how to germinate and/or activate microorganisms described in the claims of the above-identified application. All of the articles (except the article at Tab 11) and abstracts provided herewith were published prior to the filing date of the present application.

Articles describing spore germination are as follows.

Microorganism	Citation Showing Germination	Tab No.
<i>Aspergillus spp.</i>	Compendium of Soil Fungi, 1980, p. 94	1
<i>Aspergillus spp.</i>	Physiology of Fungi, 1958, p. 404-405	2

<i>Penicillium spp.</i>	Physiology of Fungi, 1958, p. 404-405	2
<i>Rhizopus chinensis</i>	Physiology of Fungi, 1958, p. 407	2
<i>Neurospora spp.</i>	Annual Review of Phytopathology, 1965, p. 314	3
<i>Neurospora spp.</i>	The Fungi, 1966, p. 754	4
<i>Rhizopus spp.</i>	The Fungi, 1966, p. 746	4
<i>Aspergillus oryzae</i>	The Fungi, 1966, p. 747	4
<i>Aspergillus niger</i>	The Fungal Spore, 1966, p. 159	5
<i>Neurospora spp.</i>	The Fungal Spore, 1993, p. 124	6
<i>Mucor miehi</i>	The Fungal Spore, 1993, p. 111	6
<i>Neurospora spp.</i>	The Filamentous Fungi, 1978, p. 359	7
<i>Mucor miehi</i>	The Filamentous Fungi, 1978, p. 359	7
<i>Aspergillus niger</i>	The Filamentous Fungi, 1978, p. 365	7
<i>Bacillus spp.</i>	The Fungal Spore: Morphogenetic Controls, 1981	8
<i>Venturia spp.</i>	Fungal Physiology, 1981, p. 262	9
<i>Saccharomyces spp.</i>	Fungal Physiology, 1981, p. 262	9
<i>Rhizopus delemar</i>	Fungal Physiology, 1981, p. 275	9
<i>Bacillus spp.</i>	General Microbiology, 1985, p. 75	10
<i>Aspergillus nidulans</i>	FEMS Microbiology Letters, 2001, p. 154-157	11
<i>Aspergillus spp.</i>	J. Gen. Appl. Microbiol., 1972, p. 209-223	12
<i>Rhizopus arrhizus</i>	J. Gen. Microbiol. pp. 261-269	***
<i>Rhizopus oligosporous</i>	AEM	***
<i>Rhizopus oryzae</i>	current specification, p. 15	***

*** Examiner already has article

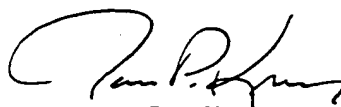
Abstracts describing spore germination are as follows.

Microorganism	Citation Showing Germination	Tab No.
<i>Aspergillus nidulans</i>	ICChemE Res. Event, 1995	1
<i>Aspergillus niger</i>	Biotechnol. Letters, 1985	2
<i>Aspergillus niger</i>	Int. J. Food Microbiol., 1989	3
<i>Aspergillus niger</i>	PNAS, India, 1984	4
<i>Rhizopus oligosporus</i>	AEM, 1984	5
<i>Bacillus cereus</i>	J. Gen. Microbiol., 1984	6
<i>Neurospora crassa</i>	Exp. Mycol., 1983	7
<i>Bacillus brevis</i>	Arch. Microbiol., 1982	8
<i>Mucor racemosus</i>	J. Gen. Microbiol., 1982	9
<i>Mucor racemosus</i>	J. Gen. Microbiol, 1981	10
<i>Alternaria brassicae</i>	Indian Phytopathol., 1977	11
<i>Bacillus cereus</i>	Antibiotica, 1974	12
<i>Bacillus subtilis</i>	J. Bacteriol., 1975	13
<i>Bacillus cerus</i>	Spores, 1975	14

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By:



James P. Krueger

Registration No. 35,234

Date:

Fitch, Even, Tabin & Flannery

120 So. LaSalle St., S/1600

Chicago, IL 60603-3406

Phone: 312/577-7000

Fax: 312/577-7007